

GARNISHMENT OF MONEY OR PROPERTY OTHER THAN EARNINGS

REQUIRED FORMS

1. Garnishment Instructions for Creditor (Non-Earnings)
2. Application for Writ of Garnishment (Non-Earnings)
3. Writ of Garnishment and Summons (Non-Earnings)
4. Instructions to Garnishee (Non-Earnings)
5. Garnishee's Answer (Non-Earnings)
6. Application for Garnishment Judgment (Non-Earnings)
7. Garnishment Judgment (Non-Earnings)
8. Notice to Judgment Debtor of Garnishment (Non-Earnings)
9. Hearing Request and Notice of Hearing on Garnishment (Non-Earnings)
10. Objection, Hearing Request and Notice of Hearing (Garnishment)
11. Petition and Order to Show Cause Re: Garnishee's Default
12. Petition and Order Discharging Garnishee

GARNISHMENT INSTRUCTIONS FOR CREDITOR (NON-EARNINGS)
A.R.S. § 12-1570 TO 12-1597

FILING A GARNISHMENT

To begin a garnishment action, you must complete the garnishment forms and file an Application for Writ of Garnishment.

SERVICE OF WRIT OF GARNISHMENT

When the Writ page of Summons and Writ of Garnishment is signed by the judge, you, the judgment creditor, shall serve on the garnishee two copies of the Summons and Writ of Garnishment, a copy of the underlying judgment, four copies of the Garnishee's Answer form, two copies each of the Notice to Judgment Debtor of Garnishment and the Hearing Request and Notice of Hearing on Garnishment and one copy of the Instructions to Garnishee.

You will pay a fee for service of these documents. **You may use a private process server or a constable from the court to serve these forms. THE COURT IS NOT RESPONSIBLE FOR ARRANGING SERVICE OF THESE FORMS.**

APPLYING FOR A GARNISHMENT JUDGMENT

The garnishee must answer within 10 days from the date the Writ was served. You should receive a copy of the Garnishee's Answer. If you don't get the Answer within 10 days, please check with the court as soon as possible.

If the garnishee states that money or property is being withheld from the judgment debtor and 10 days pass without any objection, you need to complete and send one copy of the Application for Garnishment Judgment to the court and one copy to the defendant. After the Garnishment Judgment is signed, you will receive the money or property garnished.

WARNING: If the garnishee does not receive the Garnishment Judgment within 90 days of filing the Answer, you cannot get your money or property without filing a new application.

RELEASING GARNISHEE

When the garnishment is paid, you need to complete and file with the court one copy of the Petition and Order Discharging Garnishee. Copies of this form must be sent to the garnishee, the judgment debtor, and any other creditor who has asked to be notified. When the judgment against the judgment debtor has been paid, you need to file a Satisfaction of Judgment and mail a copy to the judgment debtor.

COMMON QUESTIONS

1. **Can I get back money I paid the constable or process server for service of the garnishee?**

Yes. There is a place on the Application for Garnishment Judgment to record this amount. The fee is paid to the constable or process server. This cost is added to the total amount included in the garnishment. As creditor, you are responsible for arranging service of process.

2. **What happens if the garnishee doesn't answer?**

If the garnishee fails to answer within 10 days after service, you can file a Petition for an Order to Show Cause Re: Garnishee's Default with the court. The court will then order the garnishee to appear for a hearing and state why he failed to answer. You will have to arrange and pay a fee for service of the Order on the garnishee. The judge may then enter judgment against the garnishee.

3. **If the garnishee has money or property belonging to judgment debtor, will I collect all the money owed to me?**

Maybe. The garnishee can't withhold certain kinds of money or property that may be exempt from collection.

4. **What happens if the judgment debtor wants a hearing?**

If the judgment debtor files an Objection and Hearing Request, a hearing will be set within 5 days after the request is received. The judge might not sign the Garnishment Judgment until the hearing is held.

5. **What if I don't agree with what the judgment debtor or garnishee says or I don't receive any money?**

You can file an Objection and Hearing Request and a hearing will be scheduled on your complaint.

6. **What are "earnings?"**

The term "earnings" means compensation owed to an individual for personal services or work performed by that individual for another. This compensation may be called wages, salary, commissions, bonuses or otherwise. "Earnings" include periodic payments made pursuant to a pension or retirement program. "Earnings" become monies upon their payment by the employer to the employee, except payment into a pension or retirement fund. Money in a pension or retirement fund is no longer classified as "earnings" once it is disbursed to the employee.

PLAINTIFF/CREDITOR:

Street:

City/State/Zip:

Phone:

DEFENDANT/JUDGMENT DEBTOR:

Street:

City/State/Zip:

Phone:

GARNISHEE:

Street:

City/State/Zip:

Phone:

ATTORNEY OR REPRESENTATIVE:

Account No. (if any):

Case No:

APPLICATION FOR WRIT OF GARNISHMENT (NON-EARNINGS)

1. I was awarded a money judgment or order against _____ (*judgment debtor*).
2. The amount owed to date, including interest and costs, is \$ _____. The interest rate is _____%. (*The cost of serving the Writ will be as stated on the affidavit of service.*)
3. I believe the statements checked below are true:

(*Check all that apply*)

- ☐ Garnishee owes judgment debtor money which wasn't earned by judgment debtor for personal services performed by judgment debtor.
- ☐ Garnishee is holding money for judgment debtor which is not exempt from collection.
- ☐ Garnishee has personal property which belongs to judgment debtor and which is not exempt from collection.
- ☐ Garnishee is a corporation and judgment debtor owns shares or other interest in the corporation.

4. Garnishee's name and address are as shown above.

5. I have attached a completed Summons and Writ of Garnishment form and ask that the Writ be issued.

Date: _____

Creditor: _____

Filed By:

Bar Number (*if applicable*):

Phone:

Representing:

Firm:

Address:

PLAINTIFF/CREDITOR:

Street:

City/State/Zip:

Phone:

DEFENDANT/JUDGMENT DEBTOR:

Street:

City/State/Zip:

Phone:

GARNISHEE:

Street:

City/State/Zip:

Phone:

ATTORNEY OR REPRESENTATIVE:

Account No. (*if any*)

Case No:

WRIT OF GARNISHMENT AND SUMMONS (NON-EARNINGS)

WRIT

TO THE SHERIFF, CONSTABLE OR OTHER AUTHORIZED PROCESS SERVER IN _____
COUNTY: You are commanded to summon garnishee named above, who is believed to be in your county,
to answer the following claims:

STATEMENTS OF CREDITOR

1. Creditor was awarded a judgment or order against _____ (*judgment debtor*).
2. The amount due on the judgment or order is _____, including accrued interest and allowable costs to date.
 - A. Interest accrues at the rate of _____%.
3. The addresses of the plaintiff/creditor, defendant/judgment debtor, garnishee, attorney or representative of garnishee (*if any*) are provided in the caption.
4. Garnishee is believed to hold money or property owed or belonging to judgment debtor.

Filed By:

Bar Number (*if applicable*):

Phone:

Representing:

Firm:

Address:

WRIT OF GARNISHMENT AND SUMMONS (NON-EARNINGS) *(continued)*

TO THE ABOVE-NAMED GARNISHEE

GARNISHEE SHALL answer in writing, under oath, within ten (10) days after service of the WRIT OF GARNISHMENT upon you, all the following questions:

1. Whether the Garnishee has money or property belonging to the judgment debtor;
 2. The amount of money owed the judgment debtor and the amount of money withheld;
 3. The amount of money released with the reason(s) for the release stated;
 4. A description of personal property of the judgment debtor in the possession of the Garnishee;
 5. What the Garnishee has withheld;
 6. What shares or interest the judgment debtor may own if the Garnishee is a corporation;
-

SUMMONS

A Writ of Garnishment has been issued, naming you as garnishee. You are commanded to answer this Writ within ten (10) days. If you don't answer, you may be ordered to appear in person to answer the WRIT.

WARNING: A default judgment may be entered against you, the garnishee, for the full amount shown on the writ, plus attorney fees and costs if you fail to answer the writ within ten (10) days.

DO NOT SEND ANY MONEY UNTIL YOU RECEIVE A COURT ORDER TELLING YOU TO DO SO.

Date: _____

Justice of the Peace/Clerk/Commissioner

INSTRUCTIONS TO GARNISHEE (NON-EARNINGS)
A.R.S. § 12-1570 TO 12-1597

You are the garnishee in this case. You've received the following:

1. Summons and Writ of Garnishment (*identifies the parties and the reasons for the garnishment*).
2. Judgment or order (*what judgment debtor owes creditor*).
3. Notice to Judgment Debtor of Garnishment (*advises judgment debtor of rights*).
4. Hearing Request and Notice of Hearing on Garnishment (*for judgment debtor to object to garnishment*).
5. Garnishee's Answer form (*for your response to the garnishment*).

WHAT YOU MUST DO

Deliver copies of items 1-4 above to the judgment debtor within 3 days. **You can deliver them personally, by first class mail or use a process server.**

Do not release any of judgment debtor's money or personal property to the judgment debtor until you receive a Garnishment Judgment from the court.

File your Answer with the court within 10 days and deliver copies to judgment debtor and creditor (*personally, first class mail or by process server*). **Be sure to show on the Answer the date and manner of delivery of the copies to the judgment debtor and creditor.**

FOR CORPORATIONS: Don't transfer any shares or interest belonging to judgment debtor.

FOR FINANCIAL INSTITUTIONS: Don't withhold the first \$150.00 in one or more accounts subject to this garnishment for each individual judgment debtor who has an interest in the accounts. This exemption does not apply to corporations. Notify persons interested in the accounts pursuant to A.R.S. §12-1595.

IF YOU HOLD PERSONAL PROPERTY: Exemptions are limited by statute, description and dollar value. See the list on the enclosed Hearing Request and Notice of Hearing on Garnishment. An attorney can help you to determine how much, if any, of the personal property is exempt.

HEARING REQUEST: If the judgment debtor files a Hearing Request and Notice of Hearing on Garnishment, you will get a copy and be able to attend the hearing. The court will enter an order after the hearing and the creditor will deliver a copy of the order to you or you may receive an order by mail from the court.

RELEASE OF MONEY OR PERSONAL PROPERTY: After all objections to the garnishment are considered, an order to release funds or property will be issued by the court. You will release the money or property to the creditor or judgment debtor as required by the order.

WARNING: *If you fail to comply with these requirements, the court may find you in contempt and can award the total amount of the judgment and up to \$400.00 in damages against you.*

PLAINTIFF/CREDITOR:

Street:

City/State/Zip:

Phone:

DEFENDANT/JUDGMENT DEBTOR:

Street:

City/State/Zip:

Phone:

GARNISHEE:

Street:

City/State/Zip:

Phone:

ATTORNEY OR REPRESENTATIVE:

Account No. *(if any)*:

Case No:

GARNISHEE'S ANSWER (NON-EARNINGS)

1. I am the garnishee or am authorized by the garnishee to file this answer. Garnishee's name, address and phone are correct above except:

2. The statements checked below are true: *(Check and fill in blanks)*

☐ Garnishee does not have money or property belonging to judgment debtor.

☐ Garnishee owes judgment debtor \$ _____. I've withheld \$ _____ and released the rest because:

☐ Garnishee has judgment debtor's personal property: _____.

☐ Garnishee has withheld _____. *(Attach lists if necessary)*

☐ Garnishee is a corporation and judgment debtor owns these shares or interests:

3. The following owe money or hold money or property which belongs to judgment debtor:

4. Garnishee requests an answer fee in the amount of \$ _____.

(continued on next page)

Filed By:

Bar Number *(if applicable)*:

Phone:

Representing:

Firm:

Address:

GARNISHEE'S ANSWER (NON-EARNINGS)
(continued)

Delivered to Judgment Debtor:
Date: _____ Time: _____

☐ Mail ☐ Personal Service

Delivered to Creditor:
Date: _____ Time: _____

☐ Mail ☐ Personal Service

Garnishee: _____

SUBSCRIBED AND SWORN TO before me on _____.

My commission expires: _____

Notary Public/Deputy Clerk

PLAINTIFF/CREDITOR:	DEFENDANT/JUDGMENT DEBTOR:
Street:	Street:
City/State/Zip:	City/State/Zip:
Phone:	Phone:
GARNISHEE:	ATTORNEY OR REPRESENTATIVE:
Street:	
City/State/Zip:	Account No. <i>(if any)</i>
Phone:	Case No:

APPLICATION FOR GARNISHMENT JUDGMENT (NON-EARNINGS)

I am the creditor in this action. I want the court to order judgment against garnishee as shown below:

(Check all that apply)

- ☐ The Answer states that garnishee owes judgment debtor money from which my claim can be paid. I should have judgment against garnishee for \$_____.
- ☐ The Answer states that garnishee holds nonexempt property belonging to judgment debtor. This property should be sold.
- ☐ The Answer states that judgment debtor owns stock or other interest in garnishee corporation. This interest should be sold and I should take \$_____.
- ☐ I am entitled to \$_____ for service of the Writ as stated on the affidavit of service to be taxed against the judgment debtor.
- ☐ Garnishee failed to answer or appear to object to the Writ within the time required by law *(an order to show cause hearing was held on _____)*. I should have judgment for \$_____.

(continued on next page)

Filed By:	Firm:
Bar Number <i>(if applicable)</i> :	Address:
Phone:	
Representing:	

APPLICATION FOR GARNISHMENT JUDGMENT (NON-EARNINGS)
(continued)

☐ Other: _____

Delivered to Judgment Debtor:

Date: _____ Time: _____

☐ Mail ☐ Personal Service

Delivered to Garnishee:

Date: _____ Time: _____

☐ Mail ☐ Personal Service

Date: _____ Creditor: _____

PLAINTIFF/CREDITOR:

Street:

City/State/Zip:

Phone:

DEFENDANT/JUDGMENT DEBTOR:

Street:

City/State/Zip:

Phone:

GARNISHEE:

Street:

City/State/Zip:

Phone:

ATTORNEY OR REPRESENTATIVE:

Case No:

GARNISHMENT JUDGMENT (NON-EARNINGS)

This court issued a Writ of Garnishment to garnishee for \$_____, and the following is shown from the Answer:

(Check all that apply)

☐ Garnishee owes judgment debtor \$_____.

THEREFORE, IT IS ORDERED that creditor have judgment against garnishee for \$_____ plus costs, interest and attorney's fees in the amount of \$ _____. Total: \$_____.

☐ Garnishee has the following nonexempt property belonging to judgment debtor: *(Attach list if necessary)*

THEREFORE, IT IS ORDERED that this property be sold under a special writ of execution for the benefit of creditor.

☐ Judgment debtor owns this stock or interest in garnishee corporation:

THEREFORE, IT IS ORDERED that said interest be sold under a special writ of execution for the benefit of creditor.

(continued on next page)

GARNISHMENT JUDGMENT (NON-EARNINGS)
(continued)

☐ Garnishee has failed to answer and a default has been entered.

THEREFORE, IT IS ORDERED that creditor have judgment against garnishee for \$_____ and attorney fees of \$_____.

IT IS FURTHER ORDERED awarding Garnishee the sum of \$_____ for reasonable compensation for answering the Writ, said sum to be paid by _____ or withheld by Garnishee from the funds subject to garnishment.

IT IS FURTHER ORDERED taxing the cost of the application for the Writ in the amount of \$_____ and the cost of service of the Writ in the amount of \$_____ against _____.

☐ Garnishee is not indebted to nor in possession of property of judgment debtor.

THEREFORE, IT IS ORDERED that garnishee is discharged.

Upon filing the satisfaction of this judgment, garnishee is released from the Writ of Garnishment issued _____.

Date: _____ Judge: _____

PLAINTIFF/CREDITOR:

DEFENDANT/JUDGMENT DEBTOR:

Street:

Street:

City/State/Zip:

City/State/Zip:

Phone:

Phone:

GARNISHEE:

ATTORNEY OR REPRESENTATIVE:

Street:

City/State/Zip:

Account No. (*if any*)

Phone:

Case No:

NOTICE TO JUDGMENT DEBTOR OF GARNISHMENT (NON-EARNINGS)

AVISO

EI TRIBUNAL HA EXPEDIDO UNA ORDEN QUE LE OBLIGA AL DUEADOR ENTREGAR AL ACREEDOR EL DINERO O LOS BIENES QUE LE DEBE A UD. DEBIDO A LA SENTENCIA DICTADA EN CONTRA SUYA. EN DETERMINADAS CIRCUNSTANCIAS, LA LEY IMPIDE QUE SE OCUPEN SU DINERO O BIENES. ESTO SE EXPLICA EN EL AVISO. UD. PUEDE OBTENER UNA TRADUCCION ESPANOL DEL TRIBUNAL.

NOTICE

You are hereby notified that this court has issued an order in the above case in favor of the judgment creditor in this proceeding, directing that some of your money, property or corporate shares or interest be used to satisfy some of your debt to the judgment creditor. The order was issued to enforce the judgment creditor's judgment, support order or provisional remedy order against you that was obtained in _____ (the name of court) in _____ (case number) on _____ (date). A copy of the judgment or order is attached.

The creditor named above says you haven't paid what you owe on the attached judgment or order. At the creditor's request, this court issued a Writ of Garnishment (*attached*) to the garnishee named above. The writ says that some of your money or property now held by the garnishee will be withheld and may be turned over to the creditor to satisfy your debt.

Within 10 days after receiving the writ, the garnishee must send you an answer stating what money or property will be held for the creditor. Some money and property can't be held. Examples of money or property that can't be held are listed on the attached hearing request form. A lawyer can help you find out what's "exempt".

NOTICE TO JUDGMENT DEBTOR OF GARNISHMENT (Non-earnings)

(continued)

If you don't agree with the writ or the answer, you can ask for a hearing for the reasons listed on the hearing request form. State and federal exemptions other than those listed may apply. If you want a hearing, fill out the form and deliver it to the court and send photocopies or handwritten copies to the garnishee and creditor at the addresses shown above. You can send in the form without waiting for an answer if you think you have good reasons for a hearing. You may be required to pay a fee for the hearing or request a waiver of the fee.

WARNING: If you want a hearing, the hearing request form must be received by the court within ten (10) days after you get garnishee's answer. If you don't get the request in on time, you won't get a hearing unless there is a very good reason why you're late.

A hearing will be set within 5 days after the request is filed. The court will let you, the garnishee and the creditor know when and where the hearing will be held.

The law provides that monies from certain benefits or in certain amounts are free from the claims of creditors even if deposited in a bank, savings and loan association or credit union. Some examples of exempt monies appear later in this notice. The law also provides that certain personal property is exempt from the claims of creditors. Some examples of exempt property appear later in this notice.

Within ten days after being served with the writ of garnishment the garnishee who is holding your money or personal property is required to mail or deliver to you his answer stating what money or personal property he is withholding from you for the judgment creditor pursuant to the writ.

You may object to the garnishment or file a claim of exemption by requesting a hearing with this court, if you believe any of the following is true:

1. The judgment creditor does not have a valid provisional remedy order or support order or judgment against you or that the debt or judgment has been paid in full.
2. Some or all of the monies which are being withheld by the garnishee may be exempt monies.

Examples of exempt monies are:

- (a) One hundred fifty dollars in a bank, savings and loan association or credit union account. (Three hundred dollars for married account holders.)
- (b) Temporary assistance for needy families.
- (c) Supplemental security income (SSI).
- (d) Social security benefits (SSA).
- (e) Veterans' administration benefits (VA).
- (f) Certain pension benefits and retirement funds.
- (g) Workers' compensation benefits.
- (h) Some insurance proceeds.

(continued on next page)

NOTICE TO JUDGMENT DEBTOR OF GARNISHMENT (Non-earnings)

(continued)

Other state and federal exemptions may apply. Certain exemptions may not apply to support orders or to the collection of taxes. An attorney can assist you in determining what monies are exempt.

3. Some or all of the personal property being withheld by the garnishee may be exempt property.

Examples of exempt personal property are:

- (a) Household goods, furniture and appliances.
- (b) Up to five thousand dollars equity value for each owner of a car or truck. (Ten thousand dollars equity value if the owner is physically disabled.).
- (c) Wearing apparel, musical instruments, televisions or stereos and other personal items.
- (d) Tools and equipment used in a commercial activity, trade, business or profession.

These exemptions are limited in statute by description and dollar value. An attorney can assist you in determining what personal property is exempt.

4. More than fifteen days have passed since the garnishee was served with the writ and you have not yet received the garnishee's answer.
5. You otherwise disagree with the answer of the garnishee. To request a hearing, deliver the request for hearing form enclosed , or a substantially similar form to the court clerk's office. At the same time, you must mail or deliver a copy (photocopy or handwritten copy) of the request for hearing to the judgment creditor and the garnishee at the address stated in the writ. If you do not deliver the request for hearing form to this court within ten days after the date you receive the answer of garnishee, your request for hearing will be denied, unless a good reason for the delay, acceptable to the court, is shown.

If you request a hearing it will be held no later than five days, not including weekends and holidays, after your request is received by the court. If appropriate, you may request a hearing before the garnishee files his answer.

The court will notify you and the other parties of the time and date of the hearing. You may attend the hearing with or without an attorney.

PLAINTIFF/CREDITOR:

Street:

City/State/Zip:

Phone:

DEFENDANT/JUDGMENT DEBTOR:

Street:

City/State/Zip:

Phone:

GARNISHEE:

Street:

City/State/Zip:

Phone:

ATTORNEY OR REPRESENTATIVE:

Account No. (if any)

Case No:

HEARING REQUEST AND NOTICE OF HEARING ON GARNISHMENT (NON-EARNINGS)

HEARING REQUEST

I am the judgment debtor in this action. I want a hearing on this garnishment because:

(Check all that apply)

- ☐ Creditor doesn't have a valid judgment against me because _____.
- ☐ The judgment has been paid.
- ☐ Exempt money is being garnished:
- ☐ \$150 (\$300/married) in a bank, savings and loan or credit union.
 - ☐ Temporary assistance for needy families, social security, supplemental security income or veterans' benefits.
 - ☐ Other pension or retirement benefits.
 - ☐ Workers' compensation or other insurance benefits.
 - ☐ Other: _____.
- ☐ Exempt personal property is being garnished:
- ☐ Household goods, furniture or appliances (*with some exceptions*).
 - ☐ A car or truck with equity under \$5000 (\$10,000 if owner is disabled).
 - ☐ Personal items.
 - ☐ Tools and equipment of a trade.
 - ☐ Other: _____.

(continued on next page)

Filed By:

Bar Number (if applicable):

Phone:

Representing:

Firm:

Address:

**HEARING REQUEST AND NOTICE OF HEARING
ON GARNISHMENT (NON-EARNINGS) (continued)**

- ☐ Garnishee's answer is not correct because _____.
- ☐ No answer was received within 15 days.
- ☐ Other: _____.

Delivered to Garnishee:
Date: _____ Time: _____
☐ Mail ☐ Personal Service

Delivered to Creditor:
Date: _____ Time: _____
☐ Mail ☐ Personal Service

You can call me at _____ between 8 a.m. and 5 p.m. to schedule the hearing.
(phone)

Date: _____ Judgment Debtor: _____

NOTICE OF HEARING DATE

Hearing is set for _____ on _____ at the court above.
(time) (date)

Date: _____ Clerk/Commissioner: _____

WARNING: To request a hearing, this document, or one similar, must be received by this court within ten (10) days after your receipt of the answer of garnishee, unless good reason for the delay is shown.

PLAINTIFF/CREDITOR:

Street:

City/State/Zip:

Phone:

DEFENDANT/JUDGMENT DEBTOR:

Street:

City/State/Zip:

Phone:

GARNISHEE:

Street:

City/State/Zip:

Phone:

ATTORNEY OR REPRESENTATIVE:

Account No.:

Case No.:

OBJECTION, HEARING REQUEST AND NOTICE OF HEARING (GARNISHMENT)

OBJECTION AND HEARING REQUEST

I am the ☐ Creditor ☐ Judgment Debtor ☐ Garnishee (*check one*) in this action. I object and want a hearing because:

Check all that apply:

☐ The Writ of Garnishment is incorrect.

☐ The Answer is incorrect.

☐ The Nonexempt Earnings Statement is incorrect.

☐ Garnishee has not turned over any money or property.

☐ Other: _____

Delivered to Judgment Debtor:

Date: _____ Time: _____

☐ Mail ☐ Personal Services

Delivered to Creditor:

Date: _____ Time: _____

☐ Mail ☐ Personal Services

Delivered to Garnishee:

Date: _____ Time: _____

☐ Mail ☐ Personal Services

Date: _____ Signature: _____

(continued on next page)

Filed By:

Bar Number (*if applicable*)

Phone:

Representing:

Firm:

Address:

**OBJECTION, HEARING REQUEST AND NOTICE OF HEARING
(GARNISHMENT) (continued)**

NOTICE OF HEARING DATE

Hearing is set for _____ on _____ at the court above.

Date: _____ Clerk/Commissioner: _____

PLAINTIFF/CREDITOR:

Street:

City/State/Zip:

Phone:

DEFENDANT/JUDGMENT DEBTOR:

Street:

City/State/Zip:

Phone:

GARNISHEE:

Street:

City/State/Zip:

Phone:

ATTORNEY OR REPRESENTATIVE:

Case No:

PETITION AND ORDER TO SHOW CAUSE RE: GARNISHEE'S DEFAULT

PETITION

I am the creditor in this action. I want the court to order the garnishee to appear and show cause why judgment should not be entered against the garnishee, in the full amount of judgment against the judgment debtor and why the garnishee should not pay costs of this Petition and Order and attorney's fees. This Petition is based on the following facts:

1. The court issued a Writ of Garnishment to garnishee on _____.
2. Garnishee was served on _____ and Answer was due _____.
3. Answer has not been filed or received by judgment creditor.
4. Judgment debtor owes creditor \$ _____.

Date: _____

Creditor: _____

(continued on next page)

Filed By:

Bar Number (if applicable):

Phone:

Representing:

Firm:

Address:

PETITION AND ORDER TO SHOW CAUSE RE GARNISHEE'S DEFAULT
(continued)

ORDER TO SHOW CAUSE

Garnishee is ordered to appear in this court at _____ on _____ to show cause why judgment shouldn't be entered as shown in the above Petition or file an Answer with the court and deliver a copy to the creditor no later than 5 days before the above date.

Date: _____

Judge: _____

PLAINTIFF/CREDITOR:

Street:

City/State/Zip:

Phone:

DEFENDANT/JUDGMENT DEBTOR:

Street:

City/State/Zip:

Phone:

GARNISHEE:

Street:

City/State/Zip:

Phone:

ATTORNEY OR REPRESENTATIVE:

Account No. (*if any*):

Case No:

PETITION AND ORDER DISCHARGING GARNISHEE

PETITION FOR RELEASE OF GARNISHEE

I am the creditor in this action. This garnishee should be discharged.

☐ The garnishment judgment or order is satisfied. ☐ The garnishment judgment or order is not satisfied.

Date: _____

Creditor: _____

ORDER DISCHARGING GARNISHEE

Based on the above, it is ordered that garnishee is discharged.

Date: _____

Judge: _____

Filed By:

Bar Number (if applicable):

Phone:

Representing:

Firm:

Address: